



ANNEX 6

التعريف الفقهي للتحويل المصرفي

(القاضي الدكتور الياس ناصيف- العقود المصرفية – ص13)

"عرف الفقيهان ريبير وروبلو (Ripert et Roblot) التحويل المصرفي بأنه العملية المصرفية التي تتمثل بسحب مبلغ نقدي من حساب شخص لدى المصرف وقيد قيمته في حساب شخص آخر، والمصرف الذي يقوم بهذه العملية، بناءً على أمر من عميله، لا يغير شيئاً في مدى موجباته، ولذلك لا تؤثر هذه العملية عليه، ويكفي أن يكون للآخر رصيد كافٍ في حسابه، ولا يكون ثمة تغيير في صفة الدائن. وتتم العملية كما لو سحب الأمر مبلغاً نقدياً من حساب لدى المصرف، وأودعه لدى هذا المصرف في حساب شخص آخر يكون دائناً بقيمته."

Jurisprudential definition of the wire transfer

(Judge Dr, Elias Nassif- Bank contracts- page 13)

"The authors Ripert and Roblot defined the wire transfer as a banking operation represented by the withdrawal of an amount of money in cash from a person's bank account and registering its value in another's person account. The bank performing said operation, further to its client's request, does not change anything regarding its obligations and thus said operation does not affect it. In addition, it is sufficient that the other party has enough funds in his account, and no change is to be made in the capacity of the creditor. The operation is performed as if the person giving the order withdrew the amount in cash from a bank account, and deposited it in the bank account of the other person, creditor of such value."

Translation certification on 17/12/2020

I, sworn translator, confirm that the attached annexes (2,3,4,5,6,7,8) feature Arabic texts followed by their word-for-word English translation.

I, hereby attest that the above, is a certified translation of the legible content.

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